

The Honorable John H. Chun

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STATE OF WASHINGTON and STATE OF  
OREGON,

Plaintiffs,

v.

DONALD J. TRUMP, *in his official capacity as  
President of the United States, et al.,*

Defendants.

CASE NO. 2:25-cv-602-JHC

DEFENDANTS' MOTION FOR A  
STAY OF OCTOBER 3 AND 10, 2025,  
SUPPLEMENTAL BRIEFING  
DEADLINES IN LIGHT OF LAPSE OF  
APPROPRIATIONS

**NOTE ON MOTION CALENDAR:**  
OCTOBER 1, 2025

**DEFENDANTS' MOTION FOR A STAY OF OCTOBER 3 AND 10, 2025,**  
**SUPPLEMENTAL BRIEFING DEADLINES**  
**IN LIGHT OF LAPSE OF APPROPRIATIONS**

The United States of America hereby moves for a stay of the Court's October 3 and 10, 2025, deadlines for supplemental briefing in support of Defendants' motion to dismiss and in opposition to Plaintiffs' motion for partial summary judgment in the above-captioned case.

1. At the end of the day on September 30, 2025, the appropriations act that had been funding the Department of Justice expired and those appropriations to the Department lapsed. The same is true for the majority of other Executive agencies. The Department does not know when such funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in very limited circumstances, including "emergencies involving the safety of human life or the protection of property." 31 U.S.C. § 1342.

3. Undersigned counsel for the Department of Justice therefore requests a stay of the October 3 and 10, 2025 supplemental briefing deadlines, until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that all current deadlines for the parties be extended by the number of days equal to the length (in days) of the lapse of appropriations plus ten days, provided that if the lapse is seven days or fewer, such extension shall be the number of days equal to the length (in days) of the lapse of appropriations plus five days.

5. Plaintiffs oppose this motion.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the Government hereby moves for a stay of the October 3 and 10, 2025 briefing deadlines in this case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Dated: October 1, 2025

Respectfully submitted,

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/s/ Bridget K. O'Hickey  
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CERTIFICATE OF SERVICE

I, Bridget O'Hickey, hereby certify that I served a true copy of the above document upon all counsel of record via this court's electronic filing system and upon any non-registered participants via first class mail. I further certify that this memorandum contains 291 words, in compliance with the Local Civil Rules.

Dated: October 1, 2025

/s/ Bridget K. O'Hickey

BRIDGET K. O'HICKEY

Counsel to the Assistant Attorney General